IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.29402-M of 2007
Date of Decision:- 21.8.2007

Amanpreet Singh @ Tota ....Petitioner(s)

through
Mr.Kuldeep Singh, Advocate

vs.

State of Punjab ....Respondent(s)

through
Mr.Rajesh Bhardwaj, DAG, Punjab.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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1) Whether Reporters of the local papers may be allowed to see the judgment?
2) To be referred to the Reporters or not?
3) Whether the judgment should be reported in the Digest?

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SURYA KANT, J. (ORAL)

The prayer in this petition is to release the petitioner on regular bail in F.I.R.No.57 dated 7.2.2007 under Sections 307/326/341/323/506/34 IPC, registered at Police Station Kharar, District Mohali.

As per the allegations contained in the F.I.R., the petitioner who was armed with a *Kulhari*, gave three blows on the vital parts of the injured, namely, on his head and neck. In addition, the injured was also attacked by the petitioner's co-accused-Karamjeet Singh @ Kamma.

The motive behind the occurrence, as alleged by the complainant, is that Simranjeet Kaur daughter of Gurnam Singh got married with the complainant's injured son on her own due to which there was an enmity between the families. Simranjeet Kaur is stated to be the daughter of real uncle of the petitioner.

The petitioner was arrested on 7.2.2007 and is in custody since

then.

Meanwhile, after presentation of challan and framing of charges, the complainant as well as injured (Jatinder Singh) both have been examined by the prosecution, however, there are 27 more witnesses who are yet to be examined.

In this factual backdrop, learned State counsel fairly conceded that the conclusion of trial will take considerably long period.

Since the complainant-injured both have already been examined, there appears to be no possibility of tampering with the evidence or influencing the prosecution witnesses by the petitioner-accused.

After hearing learned counsel for the parties and having regard to all the attending circumstances including the period already spent by the petitioner in custody but without expressing any views on the merits of the case lest it should prejudice either of them, this petition is allowed. The petitioner is directed to be released on bail to the satisfaction of the Chief Judicial Magistrate, Ropar.

August 21, 2007 **(SURYA KANT)**
poonam **JUDGE**